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STATE FOR IO/SHA, DRL/MLA, L/HRR

E.O. 12958: N/A

TAGS: PHUM UNHRC WGC

SUBJECT: READOUT FROM WORKING GROUP ON COMMUNICATIONS MEETING

1. PolCouns De Pirro met September 1 with Maria Echazu, who recently took over handling of 1503 cases for the OHCHR Secretariat, for a readout of the August 15-26 meeting of

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the Working Group on Communications (WGC) and its decision on U.S. cases. Echazu reported that the WGC decided to dismiss four of the cases (2866, 2873, 2880, and 2891). Two others, 2790 and 2742, are being referred to the Working Group on Situations (WGS). Mission received a note verbale on these two cases on September 1, 2005 (text in paragraph 3). Echazu said that in case 2742 the WGC found insufficient the information related to the treatment of mentally ill prisoners and was unsatisfied with the U.S. response to the allegations made in the case. She added that the WGC would have welcomed more information on the guarantees of protection of prisoners' rights. Case number 2742 is number 1 on the Geneva 2006 WGS Log. In case 2790, the WGC wanted more information on the effect on prisoners of the stun-belt. Case number 2790 is number 2 on the Geneva 2006 WGS Log. The WGS will meet the second week of February 2006. The U.S. response to the note verbale is due December 2, 2005. A copy of the note verbale and relevant case information has been sent to IO/SHA, Director under registry 6132623.

2. Two cases (2886 and 2931) were left pending by the WGC for its next meeting, scheduled to begin August 28, 2006. Echazu said a note verbale detailing the information sought by the WGC was being prepared and would be forwarded to the Mission shortly.

3. Begin text of note verbale:

REFERENCE: G/SO 215/14

The Secretary-General of the United Nations presents his compliments to the Permanent Representative of the United States of America to the United Nations Office at Geneva and has the honour to inform the Permanent Representative of a decision of the Working Group on Communications, established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XLVIII) as revised by Economic and Social Council resolution 2000/3 (text enclosed).

The Working Group on Communications decided at its thirty-third session (held at Palais Wilson from 15 to 26 August 2005) to refer to the Working Group on Situations the particular situations described in communications G/SO 215/1 USA 2742 and USA 2790 concerning the United States of America. The relevant government replies of 3 August 2004, 9 August 2004, 20 June 2005 and 14 July 2005 were taken into account. The communications are attached to the present note verbale for ease of reference.

In accordance with paragraph 5 of ECOSOC resolution 2000/3, the Working Group on Situations will consider the matter under the 1503 procedure in closed meetings at its next session to be held at Palais Wilson from 6 to 10 February 2006.

It may be noted in this connection that the role of the Working Group on Situations is to examine the confidential report and recommendations of the Working Group on Communications and to determine whether or not to refer a particular situation thus brought before it to the Commission on Human Rights, and, accordingly, to place before the Commission a confidential report identifying the main issues of concern, normally together with a draft resolution or draft decision recommending the action to be taken by the Commission in respect of the situations referred to it.

His Excellency's Government is invited to make its written observations on the particular situations to be considered by the Working Group on Situations. To ensure timely translation and reproduction of observations received prior to the session of the Working Group on Situations, the Secretary-General would be grateful if any observations

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which His Excellency's Government might wish to submit could reach him not later than 2 December 2005, care of the Office of the High Commissioner for Human Rights, United Nations Office at Geneva.

29 August 2005

End text of note verbale.

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